

If this Task Force could do one big thing, make one bold move, a move that would truly empower people, improve lives, and inspire success, then we would tackle the topic of child neglect and maltreatment.

Our administration has challenged leaders in state government to figure out where “upstream” are the lynch pins that drive our deeper end systems, and to figure out what we might do to dismantle barriers. In the area of children’s behavioral health, I can think of no area that is more important than our response to child maltreatment. I would go so far as to say when our response is ineffective, child maltreatment is THE driver of behavioral health challenges for children as they grow, and is a driver for children’s mental health, physical health, and academic challenges as well. Furthermore, the advent of the drug addiction crisis of the past few years compels this Task Force to have this conversation.

First, let me be clear that I am not indicting our child protection workers. There may be issues in some areas with CPS reporting and response, but that is not the challenge I propose this committee should consider.

Rather, I would call the committee’s attention to the role of the judicial processes that are a core element, of the child protection system.

First, a look at the data: (infographic here)

All of us are no doubt aware that we are experiencing an unprecedented drug addiction event and all of the related challenges that impact every sector of our public service delivery system, as well as the general economy of the state. As we propose to increase our capacity to respond to treatment needs in community settings, this Task Force is in a vital position, in place and time, to consider the impact on North Dakota’s children, and their behavior.

Here in ND, nearly 98,000 reports of child maltreatment have been received since 2010. This means that a report of child maltreatment is filed 38.35 times per day. Think about that. This is a 7 year average. Also important is growth in reports. In 2010, the number of reports received every day was 26. In 2017, that number has risen to 43.

In 2017, the child protection assessment process confirmed a finding of abuse or neglect 1,981 times, or 5 times per day (5.427).

Five times every day, we have an obligation to support an effective response.

Furthermore, in 2017 the average age of confirmed victims of child abuse and neglect was 6.6 years. 31% of all victims were age 5 and under. Another 11% were under age 1 year.

This is especially concerning since brain science now tells us that child maltreatment in the early years can change the architecture of a child’s developing brain.

This document lays out the long term and lasting consequences of child abuse and neglect. (2nd handout here)

We are engaged in social service redesign. Whatever practices and structure are put in place as a result of the redesign, I would assert that we need robust language in our Century Code and effective justice system practices in order to support the work of the child protection system.

I would propose the following as a starting point for further work:

Examine Chapter 50-25.1, Child Abuse and Neglect, and Chapter 27-20, Uniform Juvenile Court Act for consistency. A potential issue is the different standard of proof used in the two sections; preponderance of the evidence is used in one chapter and clear and convincing in the other. Also, the definitions section of 27-20 should be revised. 27-20-02. Definition of a Deprived Child. Letter "e" states that the child: "Is in need of treatment and whose parents, guardian, or other custodian has refused to participate in treatment as ordered by the juvenile court." This section should be reworked to clearly compel parents who have refused to participate under the services required decision made by the department of human services.

Examine the role and practice of the prosecutor. Consider specialized prosecutors for children's cases. Consider developing specialized training track. Consider linking county social service worker to the juvenile court director, under 27-20-06. Powers and duties of director of juvenile court. The authority likely exists to create a team staffing between the CPS worker and the juvenile court director, who can work together to prepare an affidavit that will support and guide the efforts of the prosecutor. There is a pilot project in place in South Central and South West Juvenile Court Districts to this effect. Best practice hard cards, training templates, and the like could be developed.

Think about how to best use the Child Abuse Information Index (50-25.1-05.5). While some people need to be listed on the Index for the current 10 year period or perhaps longer, incentivizing parents to participate in protective services and do well learning non-abusive parenting approaches, in exchange for shortening or removing their names from the 10 year Index would promote healthy families and prevent repeat maltreatment.

Given that infants under age 1 year experienced the highest rate of victimization (24.2 per 1,000 children, nationally and 273 children in North Dakota in 2017), primary prevention services are paramount. There are evidence based programs and services, such as home visitation and parent training, which when delivered early in the life of a child, have demonstrated to prevent or reduce the occurrence of child maltreatment over the course of childhood. This type of prevention service also reduces the need for many additional services through schools, juvenile justice and behavioral health. According to Prevent Child Abuse America, a 2012 study calculated that the lifetime costs of child maltreatment are \$210,012 per child in 2010 dollars, including \$32,648 in childhood health care costs; \$10,530 in adult medical costs; \$144,360 in productivity losses; \$7,728 in child welfare costs; \$6,747 in criminal justice costs; and \$7,999 in special education costs.

According to National Institute of Justice data, the costs of treating the mental health issues related to each form of maltreatment (in 2012 dollars) are the following (Miller, Cohen, & Wiersema, 1996):

Type of Maltreatment	Miller et al. (1996)	Adjusted for Inflation-- 2012
Physical Abuse	\$2,700	\$4,286
Emotional Abuse	\$2,700	\$4,286
Sexual Abuse	\$5,800	\$9,206
Emotional Neglect	\$2,700	\$4,286
Educational Neglect	\$ 910	\$1,444

By contrast, according to the Schuyler Center for Analysis and Advocacy (2011), every \$1 spent on home visiting yields a \$5.70 return on investment.

Safe Baby Court Teams are an evidence based promising practice, rooted in developmental science, which changes the trajectory for infant and toddlers by increasing awareness among judges, prosecutors, social service workers and others about the impact of abuse and neglect on very young children and change local systems to improve outcomes for these very young children and prevent their future court involvement.

Resource list:

https://www.childwelfare.gov/pubPDFs/long_term_consequences.pdf

<https://www.cdc.gov/violenceprevention/childabuseandneglect/consequences.html>

<https://www.zerotothree.org/resources/1655-the-core-components-of-the-safe-babies-court-team-approach>

Evidence based home visiting programs (search on “home visiting” – contains cost estimates):

<https://homvee.acf.hhs.gov/models.aspx>